PART IV

Section 1-C

GENERAL STATUTORY RULES AND STATUTORY ORDERS ISSUED BY THE CENTRAL GOVERNMENT AND ORDERS MADE BY THE PRESIDENT AND REPUBLISHED BY THE STATE GOVERNMENT.

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

NOTIFICATION

No. LAW 60 LCR 1973, Bangalore dated 7th July 1973

The Governor of Mysore is pleased to order that the Inter Zonal Wheat and Wheat Products (Movement Control) Order, 1973 which has been published as G. S. R. 187 (E) in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the March 31, 1973 be republished in the **Mysore Gazette** for general information.

H. SUBBA-RAO,
Under Secretary to Government,
Department of Law and Parliamentary Affairs.

GOVERNMENT OF INDIA

MINISTRY OF AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 31st March 1973

G. S. R. 187(E).—Whereas the Central Government is of opinion that it is necessary and expedient so to do for securing the equitable distribution of wheat and wheat products in the different States of India.

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely.—

1. **Short Title Extent and Commencement.**—(1) This Order may be called the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1973.

(2) It extends to the whole of India.

(3) It shall come into force on the 1st day of April 1973.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

(a) "export" means to take or cause to be taken, by any means whatsoever, from any place within a Zone to a place outside it ;

(b) "external border area" means the area within a ten mile belt all along the border lying within those States and Union territories whose borders are contiguous to the territories of foreign countries ;

(c) "import" means to take or cause to be taken, by any means whatsoever, into any place within a Zone from a place outside it ;

(d) "State Government" means the Government of any State included in a Zone and includes the administrator of a Union territory.

(e) "wheat" includes split wheat and any mixture of wheat and—

(i) gram or barley in which the proportion of wheat exceeds four percent; or

(ii) other foodgrains in which the proportion of wheat exceeds two percent.

(f) "wheat product" means wholemeal atta, resultant atta, maida, sooji or rawa.

(g) "Zone" means any of the Zones as specified in the Schedule annexed to this Order.

(h) "zonal border area" means the area within a five mile belt inside a Zone all along its border whether adjoining—

(i) another Zone, or

(ii) the territories of Nepal, Bhutan and Sikkim.

3. Prohibition of Export and Import of Wheat and Wheat Products.—(1) No person shall export or attempt to export or abet the export of wheat or any wheat product except with the permission in writing of the Central Government or of an officer authorised in that behalf by the Central Government.

(2) No person shall import or attempt to import or abet the import of wheat or any wheat product except with the permission in writing of the Central Government or of an Officer authorised in that behalf by the Central Government:

Provided that nothing contained in sub-clause (1) or sub-clause (2) shall apply to the export or import of wheat or any wheat product—

(i) on Central Government account;

(ii) under and in accordance with Military Credit Notes ;

(iii) by or on behalf of the Food Corporation of India established under section 3 of the Food Corporations Act, 1964 (37 of 1964) ;

(iv) by or on behalf of such public agencies as may be approved by the Central Government with such conditions as it may impose ;

(v) received by way of gift under the Indo-U. S. Agreement on Relief Supplies, 1968, and despatched to a nominee of the American Voluntary Relief Agency concerned for relief purposes ;

(vi) by or under the authority of the Dandakaranya Development Authority ;

(vii) not exceeding five kilograms in weight in the aggregate by a **bona fide** traveller as part of his luggage ;

Provided further that it shall be lawful for a person to export or import under and in accordance with a permit granted by the State Government having jurisdiction in this behalf subject to such directions as the Central Government may issue from time to time—

(a) seed wheat for **bona fide** agricultural purposes ; or

(b) wheat produced on land owned or cultivated by the person seeking such export or import for personal domestic consumption at his place of residence ;

4. Restriction on the Movement of Wheat or Wheat Products to or within the Zonal Border Area.—No person shall move, attempt to move or abet the movement of wheat or any wheat product—

(a) to any place in the zonal border area from any place outside that area ; or

(b) from any place in the zonal border area to any other place in that area,

except under and in accordance with a permit issued by the State Government having jurisdiction in this behalf or by an Officer authorised in that behalf by that Government :

Provided that nothing in this clause shall apply to the movement of wheat or any wheat product from one part of Nepal to another through the interlying territory of Uttar Pradesh.

5. **Restriction on the Movement of Wheat or Wheat Products to or within the External Border Area.**—No person shall move, attempt to move or abet the movement of wheat or any wheat product—

(a) to any place in the external border area from any place outside that area ; or

(b) from any place in the external border area to any other place in that area, except under and in accordance with a permit issued by the State Government having jurisdiction in this behalf or by an officer authorised in that behalf by that Government.

6. **Exemption for Border Areas.**—Nothing contained in clause 4 or clause 5 shall apply to the movement of wheat or any wheat product, as the case may be,—

(i) on Central Government account ;

(ii) under and in accordance with Military Credit Notes ;

(iii) within the same town or village in the zonal border area or in the external border area ;

(iv) not exceeding ten kilograms in weight in the aggregate at a time by a **bona fide** resident of the zonal border area or of the external border area for domestic consumption ;

(v) by or on behalf of the Food Corporation of India established under section 3 of the Food Corporations Act, 1964 (37 of 1964);

(vi) by or on behalf of such public agencies as may be approved by the Central Government in this behalf, with such conditions as it may impose ;

(vii) received by way of gift under the Indo-U.S. Agreement on Relief Supplies, 1968, and despatched to a nominee of the American Voluntary Relief Agency concerned for relief purpose ;

(viii) from a village in the zonal border area or in the external border area to the nearest grain market (mandi) for the purpose of sale, whether such market is within or outside any such area ;

(ix) by or under the authority of the Dandakaranya Development Authority.

(x) not exceeding five kilograms in weight in the aggregate by a bona fide traveller as part of his luggage.

7 Powers of Entry, Examination , Search and Seizure.—(1) A Police officer not below the rank of Assistant Sub-Inspector or any other officer authorised in this behalf by the Central Government or the State Government having jurisdiction may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with :—

(a) stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the export or importer movement of wheat or any wheat product.

(b) enter, search or examine any place.

(c) seize—

(i) any stock of wheat or wheat product in respect of which he has reason to believe that a contravention of any of the provisions of this Order has been, is being or is about to be committed ; and

(ii) any packages, coverings or receptacles in which such stock of wheat or wheat product is found ; and

(iii) the animals, vehicles, vessels, or other conveyances used in carrying such stock of wheat or wheat product if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be forfeited under the provisions of the Essential Commodities Act, 1955 (10 of 1955).

and thereafter take or authorise the taking of all measures necessary for securing the production of the packages, covering receptacles, animals, vehicles, vessels or other conveyances so seized in a court and for thir safe custody pending such production ;

(d) examine or seize any books of accounts or documents which in his opinion would be useful for, or relevant to any proceedings in respect of any contravention of the Order and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), relating to search and seizure shall, so far as may be apply to searches and seizures under this clause.

6. Effect of Order.—The provisions of this Order shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

9. Repeal and Saving.—The Gujarat Wheat (Export Control) Order, 1973 issued by the State Government of Gujarat and the Uttar Pradesh Wheat and Wheat Products (Movement Control) Order, 1973 issued by the State Government of Uttar Pradesh are hereby repealed, except as respects things done or omitted to be done before such repeal.

THE SCHEDULE

[See clause 2(g)]

Zone	States and Union territories constituting the Zones
I	The State of Andhra Pradesh and the area comprising Yanam in the Union territory of Pondicherry.
II	The State of Assam.
III	The State of Bihar.
IV	The State of Gujarat, the Union territory of Dadra and Nagar Haveli and the areas comprising Daman and Diu in the Union territory of Goa, Daman and Diu.
V	The State of Jammu and Kashmir.
VI	The State of Kerala, the Union territory of Laccadive and Minicoy Islands and the area comprising Mahe in the Union territory of Pondicherry.
VII	The State of Madhya Pradesh.
VIII	The State of Maharashtra and the area comprising Goa in the Union territory of Goa, Daman and Diu.
IX	The State of Manipur.
X	The State of Meghalaya.
XI	The State of Mysore.
XII	The State of Nagaland.
XIII	The State of Orissa.
XIV	The State of Rajasthan.

XV.	The State of Tamil Nadu and the areas comprising Pondicherry and Karikal in the Union territory of Pondicherry.
XVI	The State of Tripura.
XVII	The State of Uttar Pradesh.
XVIII	The State of West Bengal (excluding the areas in which the West Bengal Rationing Order, 1964 is in force) and the Union territory of Andaman and Nicobar Islands.
XIX	The Union territory of Arunachal Pradesh.
XX	The Union territory of Mizoram.

[No. 3(Genl.) (5)/93/73-PY. PD.

A. K. MAJUMDAR,
Joint Secretary.